GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Dept. for WCDA&SC – Transgender Policy – Approved - Orders – Issued.

DEPT. FOR WOMEN, CHILDREN, DIFFERENTLY ABLED & SENIOR CITIZENS (PROG.II)

G.O.MS.No. 20 **Dated: 30-12-2017**

Read the following:-

1. Orders of the Hon'ble Supreme Court of India in W.P.(Civil) No.400 of 2012 and W.P.(Civil) No.604/2013 dt. 15-4-2014.
2. From the Commissioner, WDA&SC Letter No.C/2683/2015, dt. 4-10-2017

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ORDER:-

The Hon'ble Supreme Court of India in W.P.(Civil) No.400 of 2012 and W.P.(Civil) No.604 of 2013 in its order dated 15.04.2014 in National Legal Services Authority Vs. Union of India & Others, directed the Centre and State Governments to take steps to treat transgender as socially and economically backward classes of citizens and extended all kinds of reservation in case of admission and educational institutions and for public appointments. Centre and State Governments are to take proper measures to provide medical care to transgender in the hospitals, to provide them separate public toilets and other facilities, and take steps for framing various social welfare schemes for their betterment.

2. In the reference 2nd read above, the Commissioner of Welfare of Differently Abled & Senior Citizens has stated that the State Government is planning to launch a "Transgender Pensions Scheme" for the Transgender community. The main aim of this scheme is to provide equality and better living standards to transgender persons in the State. According to the census 2011, the undivided Andhra Pradesh had a Transgender population of 43769. Therefore, it has been requested that the Govt. issue necessary orders to the concerned departments in order to improve the living standards of Transgender persons in the society.

3. Government have examined the matter in detail in consultation with the concerned administrative Departments. Accordingly, Government hereby approves the following points in the "Transgender Policy" in order to include them in society, provide social protection to the transgender and provide them with proper educational facilities, health facilities and basic amenities such as water supply, sanitation, housing facilities, and provision of employment.

1. In general, Transgender is a person whose sense of gender does not match with the gender assigned to that person at the time of birth or a person who belongs to the third gender and is not regarded as either male or female. The term would be coterminous with the definition as defined by the Government of India from time to time.

2. The name of the Department for Welfare of Differently Abled and Senior Citizens will be renamed as Department for Welfare of Differently Abled, Transgender and Senior Citizens.

3. Pension of Rs.1500/- per person shall be sanctioned to the Transgender of age 18 years and above, on submission of medical certificate.

P.T.O.

4. The Medical & Health Department shall evolve the procedure for issue of Medical Certificates / ID cards for their identification to avail the facilities/ concessions meant for them and to provide suitable assistance required for them. These certificates can be in the form of birth certificate or counseling certificate provided by the government. (Note: certification is mandatory only for persons who wish to avail any form of financial assistance from the Government).

5. Provision shall be made available in all the application forms to declare "third gender" for getting permissible benefits given by various Government departments such as providing Ration cards, House site pattas, house construction, AADHAR cards and other benefits.

6. To ensure barrier-free entry to hospitals and sensitization in the hospitals to curb discrimination.

7. Transgender persons to avail, in all Government SC / ST / BC / Minority / Differently Abled & Senior Citizens/ Brahmin/ Kapu Corporations subsidy linked bank loans for self-employment and schemes of educational scholarships. Transgender applicants, other than the above categories covered in these corporations should be covered by the department of Differently Abled & Senior Citizens.

8. Police personnel shall deal with the Transgender complaints of molestation or abuse, seriously and to treat Transgender with due respect and consideration by rising over the general prejudices prevalent in society.

9. Workplace sexual harassment policies shall be made transgender inclusive.

10. Providing skill development trainings to Transgender persons by all Government Scheduled Caste/Scheduled Tribe/Backward Classes/ Minority/ Differently Abled & Senior Citizens / Brahmin/ Kapu Corporations & Skill Development corporations for eking out their life smoothly.

11. There shall be no discrimination against Transgender in selection of beneficiaries / dealers / Outsourcing / Contract employees.

12. All Head of Departments shall submit monthly reports of aiding transgender on the above welfare schemes to the Commissioner, Welfare of Differently Abled and Senior Citizens. All District heads of all departments shall submit monthly reports similarly to the Assistant Directors of the department of Welfare of Differently Abled and Senior Citizens.

13. Transgenders shall have the right to contest in election for political positions at all levels.

14. No educational institution can deny an application based on the person being a transgender.

15. Awareness programs shall be conducted by the respective departments to curb discrimination against transgender in society.

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16. Grievance redressal cell in the form of committees for Transgender shall be created at district and state level along with utilisation of existing call center help lines to assist them with counselling for redressal of their grievances of all forms.

17. All financial benefits are allowed to those Transgenders who are below poverty line as decided by Government from time to time, on reduction of Medical Certificate and subject to the condition that they relinquish begging, extortion and prostitution.

18. Suitable amendments shall be proposed to all other acts, wherever applicable for the transgender community.

4. All the Administrative Departments of Secretariat and all the Head of Departments including Commissioner of Welfare of Differently Abled & Senior Citizens shall take further necessary action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K.SUNITHA
SECRETARY TO GOVERNMENT

To
All Administrative Departments of A.P. Secretariat.
All Heads of Departments.
The Commissioner of Welfare of Differently Abled & Senior Citizens,
Vijayawada.
Copy to :-
P.S. to Prl.Secy. to C.M.
The P.S. to C.S.
The P.S. to Secretary (WCDA&SC)
Sc/SF

// FORWARDED :: BY ORDER //

SECTION OFFICER